

# Exhibit 16

CHANGES AND SIGNATURE

WITNESS NAME: JENNIFER HARRIS

Specific reasons are given for the changes. Additionally, the general reason for all of the changes is to clarify the record and to conform to the facts.

| <u>Page</u> | <u>Line</u> | <u>Change</u>  | <u>Reason</u>  |
|-------------|-------------|--|--|
| 10          | 13          | Add: "I provided as much detail as reasonably necessary to notify the EEOC and FedEx of my claims. As I stated in the initial charge, 'More documented specifics can be provided upon request.'"                             | The reason for the addition is to clarify that stating every single relevant fact to the claim is not reasonable or expected in filing an EEOC charge.   |
| 11          | 14          | Add: "The formal definition is present, appearing, or found everywhere."   | The reason for the change is to give a dictionary definition. My recorded answer is in line with the meaning but the change gives exact clarity.   |
| 40          | 17          | Add: "Ms. Lamb's statement about cost controls as a reason was false. It was based on discrimination. The alleged cost controls did not affect my white peers attending the training and I was willing to pay my own costs." | The addition is to clarify that Ms. Lamb's statement of the reason for denying the training because of cost controls is false.   |
| 44          | 14          | Add: "No thanks to Ms. Lamb, who tried to prevent me from advancing the company goals and further develop my skills by attending the event."   | The reason for the addition is to provide explanation and prevent any misunderstanding about my affirmative answer.  |
| 45          | 1           | Add: "I did not know that my white peers were allowed to go and that I was allowed to go."   | The reason for the change is to clarify that I was not given the opportunity to attend the Dallas training which is why I tried to attend the Memphis training. Costs would have been minimal if I had been allowed to attend the Dallas training because I could drive to the location. |
| 50          | 4           | Add: "Yes, if the objectives and metrics were reasonable and the coach was not sabotaged by the manager which is what happened in my case."  | The answer of Yes was a general answer, with the normal expectation that the objectives and matrix are reasonable and no one sabotages the coach. In this case, the objectives and matrix were not reasonable  |

because most of the salespersons across the country did not reach their goals, including Michele Lamb, and were not disciplined or terminated. The objectives are aspirational targets. And in my case, FedEx did not follow its policies in developing my goals.

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| 64  | 22     | Add: "I know that discrimination and retaliation was the determining factor because I was qualified, performing as well or better than my peers who were not black, and the reasons given for the adverse treatment are not credible. This is enough evidence to prove discrimination and retaliation along with the totality of the facts and circumstances." | The reason for the addition is to correct any misunderstanding or misrepresentation by FedEx that I admit that the only evidence I have is that I am African-American.   |
| 88  | 25     | Add: "My performance compared favorably to my white peers who were not disciplined."   | This change is to clarify and summarize the reasons that the treatment of me was false.  |
| 91  | 5      | Add: "Although some of the contents was the same, the PIP was actually based on discrimination and retaliation."   | The change is to clarify any confusion on causation.   |
| 137 | 14, 18 | Add: "And just as other team members reporting to Michelle Lamb missed their goals, along with Michelle Lamb herself, and most sales persons in the company, who were not disciplined at all for missing goals. Also, my numbers would be higher if FedEx followed its own policies and did not sabotage my numbers."  | The reason for the addition is to clarify, explain, and prevent confusion about the standard FedEx had for goals and to show the pretext of the reason for the discipline and to show the discrimination.                                |
| 159 | 2      | Add: "The stretch goal will follow the customer. Since the customer at issue moved, it would not affect my stretch goal negatively. The goal follows the client."  | The reason for the addition is to clarify FedEx's policy and procedure for the stretch goal. It follows the client. If the client is assigned to a different DM, then that DM is affected by the stretch goal, positively or negatively. |
| 162 | 15     | Add: "My comment relates to past revenue. PC is President's Club   | The reason for the change is to clarify and avoid confusion and misrepresentation by   |

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|     |    | which is based on past revenue, not future goals. I was agreeing to reduce past revenue credited to me for the client in calculating the President's Club award, not to accept a future goal for a client no longer assigned to me."   | FedEx as to the meaning of the statement in Exhibit 11.  |
| 163 | 12 | Add: "Michelle Lamb fixed the alignment problem with goals for my white peer, Brian Conrey, but would not fix it with me. Instead, Ms. Lamb disregarded FedEx alignment and goal policies to unnecessarily and unfairly increase my goals over a client for which I had no control or responsibility."   | The reason for the addition is to clarify and explain the discriminatory treatment of assigning goals by FedEx.  |
| 187 | 22 | Add: "I did jump to the end of the presentation, but it was not because I was a low performing coach. It was because Laura was struggling and wanted the process over."????  | The reason for the change is to clarify the answer so that it reflects Ms. Lamb's statement and not my admission. The addition explains the circumstances and context.   |
| 195 | 16 | Add: "I could see that Michelle Lamb was discriminating against me and I thought one-on-ones would get ahead of the problem and prevent further discrimination. It did not work. Michell Lamb minimally engaged with me in the one-on-ones and continued the discrimination regardless. I was the one initially requesting the meetings, not Ms. Lamb, and not because of performance issues." | The reason for the addition is to explain the reason for requesting the one-on-one meetings and to give context and detail to clarify the answer.  |
| 146 | 22 | Add: "Although Ms. Lamb would designate topics, she would not follow them and the meetings were not very useful because Ms. Lamb would minimally engage with me."  | The change is to clarify the answer to whether Ms. Lamb would identify topics. It is to explain that the topics were not always properly identified because the meetings often would not follow the designated topics and also that the meetings were minimally useful because Ms. Lamb was minimally engaged. |

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| 203        | 18     | Add: "Ms. Lamb created the PIP. I disagreed with it. I did not work on it to develop the PIP, except to cooperate under protest by answering her questions. At all times, I wanted to follow instructions and obey regardless of the severe and pervasive treatment of discrimination and retaliation."   | The change is to clarify and avoid confusion about my participation in the creation of the PIP.   |
| 213        | 4      | Add: "So I actually did reach 100 percent attainment."  | The addition is to clarify that I met the goal under FedEx policy and procedure if measured without Ms. Lamb's deviation from policy and procedure.   |
| 221        | 24     | Add: "The unwarranted Warning Letter was the result of discrimination and retaliation which lead to more discrimination and retaliation of a second unwarranted PIP."   | The addition is to clarify causation issues and prevent unfair or confusing admissions.   |
| 224        | 4      | Add: "and retaliation. Also, I know that discrimination and retaliation was the determining factor because I was qualified, performing as well or better than my peers who were not black, and the reasons given for the adverse treatment are not credible. This is enough evidence to prove discrimination and retaliation along with the totality of the facts and circumstances." | The addition is to clarify that retaliation was also part of the but-for reason and to correct any misunderstanding or misrepresentation by FedEx that I admit that the only evidence I have is that I am African-American. |
| 226        | 8      | Add: "My white peers had sustained performance lower than me. My performance was at a high level, being awarded the President's Club while white peers who did not achieve or sustain this level of performance were not disciplined for sales performance. This is more evidence of pretext, discrimination and retaliation."  | This change is to clarify and dispute any claim by FedEx that I cannot show that my peers' performance was at a lower sustained level than me.  |
| 236<br>240 | 9<br>8 | Add: "Also, I know that discrimination and retaliation was  | The addition is to clarify and correct any misunderstanding or misrepresentation by   |

the determining factor because I was qualified, performing as well or better than my peers who were not black, and the reasons given for the adverse treatment are not credible. This is enough evidence to prove discrimination and retaliation along with the totality of the facts and circumstances."

FedEx that I admit that the only evidence I have is that I am African-American.

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Add: "I know this because I personally observed other peers using powerpoints and they told me, as company representatives, how they used them."

The change is to clarify and provide support for the knowledge of the statement to avoid misrepresentation by FedEx that the statement is without support.

I, Jennifer Harris, declare under penalty of perjury that the foregoing transcript, with attached changes incorporated, is true and correct.

Executed on 7/11/2022

DocuSigned by:  
*Jennifer Harris*  
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Jennifer Harris